

Serial No. 09/493,242
Docket No. FR919980073US1
(YOR.163)

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REMARKS

Entry of this Amendment is proposed because it is believed to place the present application in condition for immediate allowance, narrows the issues on appeal, and does not raise any new issues requiring further search by the Examiner.

Claims 1-15 and 17-36 are all the claims presently pending in the application.

Applicants gratefully acknowledge that claim 37 would be allowable if rewritten in independent form.

With respect to the prior art rejections, claims 1-15 and 17-36 stand rejected on prior art grounds under 35 U.S.C. § 103(a) as being unpatentable over Maxey (U.S. Patent No. 5,590,320) in view of Uchinuma (U.S. Patent No. 5,440,737).

Accordingly, to expedite allowance of the present application, independent claims 1, 11, 14, 31, and 32 have been amended to incorporate the features of allowable claim 37. Claim 37 correspondingly is canceled without prejudice or disclaimer.

The subject matter of allowable claim 37 (which is incorporated into independent claims 1, 11, 14, 31, and 32) also is amended to recite that the priority list of physical units can be prioritized according to the plurality of versions of the file based on a least protection of the version against at least one of an unprotected read, an execute, and a write operation, as described in the original specification and drawings (e.g., see specification at page 4, lines 12-15; see also Figure 1).

Applicants respectfully submit that neither Maxey nor Uchinuma discloses or suggests at least this feature of amended claims 1, 11, 14, 31, and 32, for somewhat similar reasons as allowable claim 37.

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Thus, Applicants respectfully submit that claims 1-15 and 17-36, all of the pending claims, are in condition for immediate allowance.

It is noted that the claim amendments are made only for placing the present application in condition for allowance and/or for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

In view of the foregoing, Applicants respectfully submit that claims 1-15 and 17-36, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner respectfully is requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: JULY 19, 2004

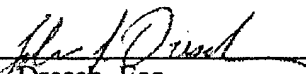

John J. Dresch, Esq.
Registration No. 46,672

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn & Gibb, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Amendment under 37 C.F.R. § 1.116 to Examiner Isaac M. Woo on July 19, 2004.


John J. Dresch, Esq.
Registration No. 46,672

Sean M. McGinn, Esq.
Registration No. 34,386